

Serial No.: 09/995,361

**REMARKS**

Claims 1-2, 5-10 and 18-31 are now pending in the application. Claims 1, 8, 10, 19-21, 23 and 24 have been amended herein. Favorable reconsideration of the application, as amended, is respectfully requested.

***I. ALLOWABLE SUBJECT MATTER***

Applicant acknowledges with appreciation the indicated allowability of claims 1-2, 5-10 and 18-31 subject to being amended to correct the informalities noted in the Office Action. Such informalities are addressed herein, and the application is therefore believed to be in condition for allowance.

***II. OBJECTION TO THE DISCLOSURE***

The Examiner objects to the disclosure based on the informalities noted on page 2 of the Office Action. Applicant has adopted the Examiner's suggestions as noted in the above amendments to the specification. In particular, the specification has been amended to describe all reference labels which appear in the figures. No new matter has been added.

Accordingly, withdrawal of the objections is respectfully requested.

***III. REJECTION OF CLAIMS 1, 2, 5-10 AND 18-31 UNDER 35 USC §112, SECOND PARAGRAPH***

Claims 1, 2, 5-10 and 18-31 stand rejected under 35 USC §112, second paragraph, as being indefinite for the reasons recited on pages 2-3 of the Office Action.

Claims 1, 8, 10, 19-21, 23 and 24 have been amended as noted above to address each of the Examiner's concerns.

For example, claim 1 has been amended to clarify that the surface of the anode is substantially free of openings to any resonant cavities other than via the anode-cathode space openings of the waveguides. As explained further on in claim 1,

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electromagnetic radiation induced in the anode-cathode space openings of the waveguides travels through the waveguides to the common resonator.

Regarding claim 10, applicant notes that claim 1 refers to an anode-cathode space with anode-cathode space openings along a surface of the anode defining the anode-cathode space. Claim 10 refers to the anode-cathode space (i.e., not the anode-cathode space openings) as being "located therein" (i.e., within the hollow cylinder). Thus, applicant believes claims 1 and 10 are consistent in this regard. Regarding "a waveguide having an opening", applicant has amended claim 10 to clarify the relationship with the anode-cathode space openings.

The remaining amendments to the claims are believed to be consistent with the suggestions of the Examiner.

The claims are now believed to be more definite. Withdrawal of the rejection is respectfully requested.

#### **IV. CONCLUSION**

Accordingly, claims 1-2, 5-10 and 18-31 are believed to be allowable, and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.


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Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

  
Mark D. Saralino  
Reg. No. 34,243

DATE: September 24, 2003

The Keith Building  
1621 Euclid Avenue  
Nineteenth Floor  
Cleveland, Ohio 44115  
(216) 621-1113

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